

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/523,800
Applicant : GIBSON, ET AL.
Filed : FEBRUARY 9, 2005
Title : FIXATION SYSTEM FOR AN IMPLANTABLE MEDICAL DEVICE

Art Unit : TO BE ASSIGNED
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0139-US1

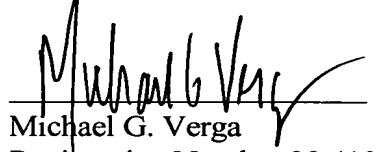
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- Patent Fee Transmittal for FY 2005 and Deposit Account Authorization (1 page)
- Credit Card Payment Form (1 page)
- Response to Notification of Missing Requirements under 35 U.S.C.371 (2 pages)
- Declaration and Power of Attorney (2 pages)
- Copy of Notification of Missing Requirements (2 pages)
- Certified copy of Australian Application Number 2002950755

Respectfully submitted,



Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

November 2, 2005

Patent Fee Transmittal for FY 2005

NOV 03 2005

Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT

\$130.00

Application Number	10/523,660		
Filing Date	9-Feb-05		
Named Inventor	Peter Gibson		
Examiner Name	To be assigned		
Art Unit	To be assigned		
Attorney Docket No.	COCH-0139-US1		

FEE CALCULATION

1. Filing Fees

Application Type	Large Entity		Small Entity		Paid	
	Description	Code	(\$)	Code	(\$)	
Utility	Basic	1011	300	2011	150	\$ -
	Examination	1311	200	2311	100	\$ -
	Search	1111	500	2111	250	\$ -
Design	Basic	1012	200	2012	100	\$ -
	Examination	1312	130	2312	65	\$ -
	Search	1112	100	2112	50	\$ -
Plant	Basic	1013	200	2013	100	\$ -
	Examination	1313	160	2313	80	\$ -
	Search	1113	300	2113	150	\$ -
Reissue	Basic	1014	300	2014	150	\$ -
	Examination	1114	600	2114	300	\$ -
	Search	1314	500	2314	250	\$ -
Provisional	Basic	1005	200	2005	100	\$ -
	Examination	1631	300	2631	150	\$ -
	Search	1633	200	2633	100	\$ -
National Stage	Basic	1632	500	2632	250	\$ -
	Examination	1633	200	2633	100	\$ -
	Search	1632	500	2632	250	\$ -

2. Extra Claim Fee

a. Claims as Filed

Total Claims	0	- 20 =	0	x	Large Entity	Small Entity	Paid		
Independent	0	- 3 =	0	x	1201	50	2201	25	\$ -
Multiple Dependent					1202	200	2202	100	\$ -

b. Claims as Amended

Total Claims	After Amnt	Highest Paid	Present Extra	Large Entity	Small Entity	Paid			
Total Claims	0	- 0 * =	0	x	1201	50	2201	25	\$ -
Independent	0	- 0 ** =	0	x	1202	200	2202	100	\$ -
First Presentation of Multiple Dependent					1203	360	2203	180	\$ -

* Less than 20, enter 20 ** Less than 3, enter 3

3. Extra Page Fee

Total Pages	Extra Pages	Large Entity	Small Entity	Paid
0	-100	0	x	1081 250 2081 125 \$ -

Subtotal for Application Fees

1	\$	- + 2	\$	- + 3	\$	=	\$	-
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4. Additional Fees

Description	Large Entity		Small Entity		Paid
	Code	(\$)	Code	(\$)	
Extension for response first month	1251	120	2251	60	\$ -
Extension for response second month	1252	450	2252	225	\$ -
Extension for response third month	1253	1,020	2253	510	\$ -
Extension for response fourth month	1254	1,590	2254	795	\$ -
Extension for response fifth month	1255	2,160	2255	1,080	\$ -
Notice of Appeal	1401	500	2401	250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402	250	\$ -
Request for Oral hearing	1403	1,000	2403	500	\$ -
Petitions under 1.17(f)	1462	400	1462	400	\$ -
Petitions under 1.17(g)	1463	200	1463	200	\$ -
Petitions under 1.17(h)	1464	130	1464	130	\$ -
Petition - public use proceeding	1451	1,510	1451	1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452	250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453	750	\$ -
Utility Issue Fee	1501	1,400	2501	700	\$ -
Design Issue Fee	1502	800	2502	400	\$ -
Plant Issue Fee	1503	1,100	2503	550	\$ -
Reissue Issue Fee	1511	1,400	2511	700	\$ -
Publication Fee	1504	300	1504	300	\$ -
Statutory Disclaimer	1814	130	2814	65	\$ -

(cont.)

Description (cont.)

Code	(\$)	Code	(\$)	Paid
Recording each Assignment	8021	40	8021	40
Submission of IDS	1806	180	1806	180
Request for Cont. Examination (RCE)	1801	790	2801	395
Filing Submission After Final	1809	790	2809	395
Surcharge - late filing fee or oath	1051	130	2051	65
Surcharge - late provisional fee	1052	50	2052	25
Non-English Specification	1053	130	1053	130
Processing Fee 37 CFR 1.17(q)	1807	50	1807	50
Request for Ex Parte Reexamination	1812	2,520	1812	2,520
Request Pub. of SIR prior to action	1804	920	1804	920
Request Pub. of SIR after action	1805	1,840	1805	1,840
Each Add. Invention Examined	1810	790	2810	395
Expedited Examination (Design)	1802	900	1802	900
Unintentionally Delayed Priority Claim	1453	1,370	1453	1,370
Certificate of Correction	1811	100	1811	100
Maintenance Fees 3.5 years	1551	900	2551	450
Maintenance Fees 7.5 years	1552	2,300	2552	1,150
Maintenance Fees 11.5 years	1553	3,800	2553	1,900
Surcharge - Late Payment 6 mos.	1554	130	2554	65
Other fee				\$ -

Additional Fee Subtotal \$ 130

METHOD OF PAYMENT (Check all that apply)

- Credit Card (Provide credit card information and authorization on PTO-2038)
 Deposit Account No. **10-0233-COCH-0139-US1**

For the above-identified deposit account, the Director is hereby authorized to:

- To charge the above-identified fee.
 To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

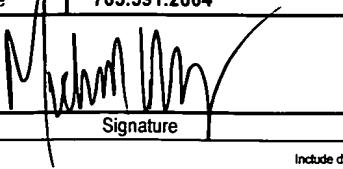
Name	Michael G. Verga	Reg. No.	39,410
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Firm	Jagtiani + Guttag
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Address	10363-A Democracy Lane, Fairfax VA 22030
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Telephone	703.591.2664	Fax	703.591.5907
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Signature



November 2, 2005

Date



JC10 Rec'd PCT/PTO 03 NOV 2005

PCT/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

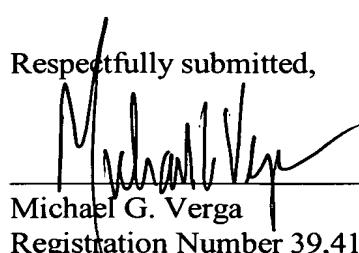
Sir:

This is in response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office dated September 12, 2005, the period for response to which is set to expire on November 12, 2005.

Submitted herewith are the executed declarations in compliance with 37 CFR 1.497(a) and (b).

Please direct any inquiries in connection with this application directly to the undersigned.

11/08/2005 GFREY1 00000064 10523800
01 FC:1617 130.00 OP

Respectfully submitted,

Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

November 2, 2005

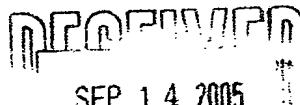


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,800	Peter Gibson	COCH-0139-US1

22506
JAGTIANI + GUTTAG
10363-A DEMOCRACY LANE
FAIRFAX, VA 22030


SEP 14 2005

INTERNATIONAL APPLICATION NO.
PCT/AU03/01004

I.A. FILING DATE	PRIORITY DATE
08/08/2003	08/09/2002

CONFIRMATION NO. 6209
371 FORMALITIES LETTER

OC000000016990218

Date Mailed: 09/12/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/09/2005
- Copy of the International Search Report filed on 02/09/2005
- Copy of IPE Report filed on 02/09/2005
- Information Disclosure Statements filed on 02/09/2005
- U.S. Basic National Fees filed on 02/09/2005
- Priority Documents filed on 02/09/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,800	PCT/AU03/01004	COCH-0139-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)